

BEFORE THE
MISSOURI ETHICS COMMISSION

Filed
JUL 21 2016
Missouri Ethics
Commission

MISSOURI ETHICS COMMISSION,)
)
) Petitioner,)
) Case No. 16-0033-I
v.)
)
GEORGE GEESEY,)
)
) Respondent.)

CONSENT ORDER

The parties have filed a Joint Stipulation of Facts, Waiver of Hearing, and Proposed Consent Order with the Missouri Ethics Commission. Accordingly, the Missouri Ethics Commission accepts as true the facts stipulated and finds that Respondent Geesey violated Section 130.031.8, RSMo.

The Commission directs that the Joint Stipulation be adopted.

1. Respondent shall comply with all relevant sections of Chapter 130, RSMo.
2. It is the order of the Missouri Ethics Commission that a fee is imposed against Respondent Geesey in the amount of \$100 pursuant to Section 105.961.4(6), RSMo. The fee will be paid by check or money order made payable to and sent to the Missouri Ethics Commission.

SO ORDERED this 21st day of July, 2016

By:



Nancy Hagan, Chair
Missouri Ethics Commission

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Petitioner,)	
)	Case No. 16-0033-I
v.)	
)	
GEORGE GEESEY,)	
)	
Respondent.)	

**JOINT STIPULATION OF FACTS, WAIVER OF HEARING
BEFORE THE MISSOURI ETHICS COMMISSION, AND
CONSENT ORDER WITH JOINT PROPOSED
FINDINGS OF FACT AND CONCLUSIONS OF LAW**

The undersigned parties jointly stipulate to the facts and consent to the action set forth below.

The undersigned Respondent, Geesey, acknowledges that he has received and reviewed a copy of the Complaint filed by the Petitioner in this case, and the parties submit to the jurisdiction of the Missouri Ethics Commission.

The undersigned Respondent further acknowledges that he is aware of the various rights and privileges afforded by law, including but not limited to: the right to appear and be represented by counsel; the right to have all allegations against Respondent be proven upon the record by competent and substantial evidence; the right to cross-examine any witnesses appearing at the hearing against Respondent; the right to present evidence on Respondent's behalf at the hearing; and the right to a decision upon the record of the hearing. Being aware of these rights provided to Respondent by operation of law, the undersigned Respondent knowingly and voluntarily waives each and every one of these rights and freely enters into this Joint Stipulation of Facts, Waiver of

Hearing before the Missouri Ethics Commission, and Consent Order with Joint Proposed Findings of Fact and Conclusions of Law, and agrees to abide by the terms of this document.

I.

Based upon the foregoing, the Petitioner and the undersigned Respondent jointly stipulate to the following and request that the Missouri Ethics Commission adopt as its own the Joint Proposed Findings of Fact and the Joint Proposed Conclusions of Law, as follows:

JOINT PROPOSED FINDINGS OF FACT

1. The Missouri Ethics Commission is an agency of the State of Missouri established pursuant to Section 105.955, RSMo, in part for the purpose of enforcing the provisions of Chapter 130, RSMo.
2. Respondent Geesey is an Alderman for Garden City, Missouri.
3. James Poisal was an unsuccessful candidate for Mayor of Garden City, Missouri, in the April 5, 2016, general election.
4. Pursuant to Sections 105.957 and 105.961, RSMo, the Commission's staff investigated a complaint filed with the Commission and reported the investigation findings to the Commission.
5. Based on the investigation report, the Commission determined that there were reasonable grounds to believe that violations of law occurred, and it therefore authorized a hearing in this matter pursuant to Section 105.961.3, RSMo.
6. Using his own personal funds, Respondent Geesey personally purchased and distributed a flyer opposing the candidacy of Mr. Poisal, a true and accurate copy of which is attached hereto as Exhibit A.
7. The flyer referred to in Exhibit A relates to a candidate in the April 2016 election.

8. The flyer referred to in Exhibit A should have contained a clear and conspicuous statement: "Paid for by George Geesey," but instead stated "Paid for by Citizens for Transparency in Garden City Government, George Geesey, Treasurer."

JOINT PROPOSED CONCLUSIONS OF LAW

9. "Any person publishing, circulating, or distributing any printed matter relative to any candidate for public office [] shall on the face of the printed matter identify in a clear and conspicuous manner the person who paid for the printed matter with the words 'Paid for by' followed by the proper identification of the sponsor pursuant to this section." § 130.031.8, RSMo.

10. "[P]rinted matter' shall be defined to include any pamphlet, circular, handbill, sample ballot, advertisement, including advertisements in any newspaper or other periodical, sign, including signs for display on motor vehicles, or other imprinted or lettered material." § 130.031.8, RSMo.

11. In regard to any printed matter paid for by a candidate from the candidate's personal funds, it shall be sufficient identification to print the first and last name by which the candidate is known. § 130.031.8(1), RSMo.

12. There is probable cause to believe that Respondent Geesey violated Section 130.031.8, RSMo, by publishing, circulating and distributing a flyer without a full and accurate "paid for by" disclosure.

II.

Based on the foregoing, the parties hereto mutually agree and stipulate that the following shall constitute the order entered by the Missouri Ethics Commission in this matter. This order will be effective immediately upon the issuance of the Consent Order of the Missouri Ethics Commission without further action by any party:

1. The parties understand that the Petitioner will maintain this Joint Stipulation as an open and public record of the Missouri Ethics Commission.
2. The Commission shall issue its Consent Order in the form attached hereto as Exhibit 1.
 - a. Respondent shall comply with all relevant sections of Chapter 130, RSMo.
 - b. It is the Order of the Missouri Ethics Commission that a fee is imposed against Respondent Geesey in the amount of \$100, pursuant to Section 105.961.4(6), RSMo. The fee will be paid by check or money order made payable and sent to the Missouri Ethics Commission at the time of execution of this Joint Stipulation.
3. The parties consent to the entry of record and approval of this Joint Stipulation and to the termination of any further proceedings before the Commission based upon the Complaint filed by the Petitioner in the above action.
4. Respondent, together with his heirs, successors, and assigns, does hereby waive, release, acquit and forever discharge the Missouri Ethics Commission and its attorneys of or from any liability, claim, actions, causes of action, fees, costs and expenses, and compensation, including but not limited to, a claim for attorney's fees whatsoever which Respondent or

Respondent's attorney may now have or which they may hereafter have, which are based upon or arise out of the above cases.

5. This joint stipulation does not settle, release, waive, or otherwise relieve Respondent from any late filing fees due to the appropriate filing authority, including Petitioner Missouri Ethics Commission. Respondent understands that late filing fees accrue automatically under Section 105.963, RSMo.

RESPONDENT GEORGE GEESEY

By: George Geesey 7/13/16
George Geesey Date

PETITIONER MISSOURI ETHICS
COMMISSION

By: James Klahr 7/22/16
James Klahr Date
Executive Director

By: Curtis R. Stokes 7/14/16
Curtis R. Stokes Date
Attorney for Petitioner

P.O. Box 555, Garden City, MO 64747

The giving and financing of this information is solely the work of Citizens for Transparency in Garden City Government.

The Mayor and Council carry the responsibility to see that the bills are paid, everything is fiscally sound and all the departments run smoothly. Unfortunately, for one reason or another, many residents don't attend City Council meetings or know much about the candidates up for election on April 5, 2016.

OATH OF OFFICE

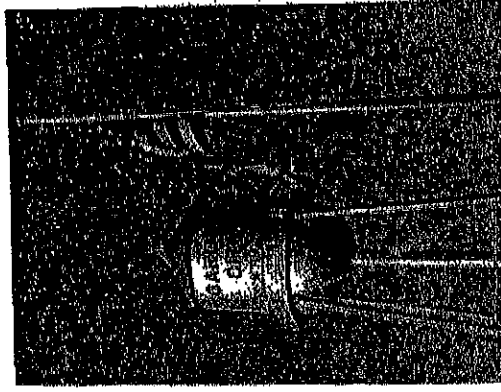
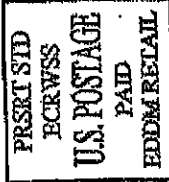
I, _____, do solemnly swear that I possess all the qualifications for the office of _____, as prescribed by law, that I will support the Constitution of the United States and of the State of Missouri, the provisions of all laws of this State affecting of this Class, and the Ordinances of the City of Garden City, Missouri and faithfully demean myself in office.

So help me God

One of the candidates running for Board of Alderman asked, "Why weren't the backgrounds and qualifications of the candidates carefully checked into?" This question has inspired a closer look at those running for our city's leadership. Outside of a very few simple qualifications it is the responsibility of the Citizens of Garden City, themselves, to look into these issues of background and qualification. To fulfill our civic responsibility, at our own personal expense, a few of us residents have briefly researched and have paid for mailing this information. We want not only the best people in our city government BUT we need transparency about the people taking leadership as well. **As a voting resident it is our responsibility to decide who possess the best qualifications for the office.**

With the short time between the last City Council meeting and the election on April 5th we have had only a brief time to look at the very important position of City Mayor. Most everyone is acquainted with our current Mayor, Dewey Henry, so we choose to look at City Councilman Alvin Poisal who is running for Mayor.

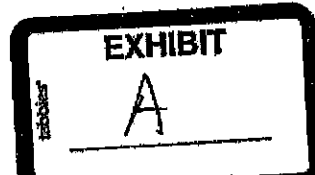
Paid for by: Citizens for Transparency in Garden City Government ~ George Geesey Treasurer



Local
Postal Customer

Keeping Garden City Strong!

Vote April 5th



While Councilman Poisal can have good and plausible presentations there are things that you need to know as a citizen.

- If you go to Missouri Courts, click Case-net and put in the name: James A. Poisal it will give the following information that belong to a James A. Poisal of Garden City, three cases of those listed are still open with a balance due of \$20,411.86.
- In the past Alvin Poisal and his wife took the offices of President and Secretary/Treasurer of the Lions Club, which is known for providing used eye glasses to needy people here and abroad. If you ask previous members of the Club they will tell you that Alvin Poisal gave a lot of time to enlisting members, collecting fees and raising money; however, Mr. Poisal, as Secretary/Treasurer, would not give timely reports or accountability of funds when asked. The National Club's leadership found that the local Club was not chartered. The Poisals were asked to stop representing themselves as part of the Lions Club and were threatened with legal action.
- More than one time as Councilman, Mr. Poisal has encouraged people to sue Garden City. Mr. Poisal has accompanied them to court and hearings on more than one occasion. He has put unbelievable pressure on other councilmen and citizens to do the same. One new councilman resigned because of the pressure. By law a City Councilman or Mayor can not encourage or pursue such action.
- Councilman Poisal has taken unearned credit for the much needed severe weather siren system that is now installed in our city. Actually it was others in the community that was responsible. Police Chief Alber made the contact with the city of Merriam, Kansas about purchasing their old sirens and negotiated a good price for them. It was Mayor Henry who got 1/2 of the financing donated without an added expense to the city.
- Without written or documented charges, Councilman Poisal takes advantage of his current position as Councilman to give verbal attacks and outbursts toward others in leadership and authority. These attacks can take up to or over an hour. Very little time is left for the monthly business of the City. Precious time to plan Garden City's future and expansion is lost. Over and over again the basic rules of the Sun Shine Law are broken. Now the seeds of discontent are the topic of the "COMMENTS FROM RESIDENTS". Complaints and attacks come when ordinances and laws are being enforced by the City Council and Chief of Police.
- Over the past 3+ years the attacks have often been turned on our Chief of Police. The accusations and charges are never put in writing or documented. At a "Citizens Information Meeting" held on March 10th Mr. Poisal vowed he would overhaul the police department and remove the Police Chief.
- *Current situation facing Garden City:* Police Chief Alber has written his job resume and is actively looking at cities that need a new police chief. In the past, because Garden City was short on funds and unable to pay the Chief for extra time he served, a large amount of what is called "Comp Time" has accumulated for him. Unable to take vacation for the "Comp Time" prior to his exit, thousands of dollars will be due. As a result the city's fiscal position will experience harsh financial repercussions.

While many of us embrace Alvin as a brother and friend we need to vote with these facts in mind.